

US EPA ARCHIVE DOCUMENT

Inspections: What to Expect

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Outline

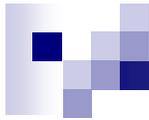
- Non-filers
- EPA Inspections
- Tools for Tribal Compliance Assistance

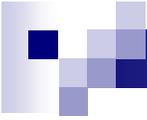
Increase in Construction Storm Water Non-compliance

- Many construction sites on tribal lands do not have permit coverage.
- Those that do have permit coverage are not complying with permit requirements.
- Increase in complaints.
- Increase in incidents of large scale sediment discharges from tribal construction sites.

Clean Water Act Inspections

- EPA conducts CWA inspections of tribal construction sites.
- Typically announced. A letter is sent to the tribal Chairperson.
- During an Inspection EPA will:
 - View the site
 - Review the SWPPP and other records
 - Interview operator and staff on site
 - Conduct a closing conference and identify potential violations.
- EPA may ask for information from the Tribe about the project.







Sediment is one
of the leading
water resource
pollutants
nationwide





EPA uses information request authority to find out more information.

- Compliance Assistance letter, EPA Region 9 Liaisons
- “308 Letter”
 - Sites the Clean Water Act statutes and authorities.
 - Requests specific information with due dates.
 - EPA Regional Water Division Management
 - Alexis Strauss, Director

EPA Follow-up to CWA Violations at Tribal Construction Sites

- **Non-tribal entities** – EPA proceeds with standard enforcement practices.
- **Tribal entities** – Follow EPA's Tribal Enforcement Policy
 - Issue a compliance assistance letter to the site contact and tribal chairperson.
 - Some violations require an Administrative Order on Consent because of long term requirements.

EPA's Authorities

- 309(a) - Administrative Compliance Orders
- 309(g) - Administrative Penalty Orders
- 309(b) - Civil Actions
- 309(d) - Civil penalties
- 309(c) - Criminal Enforcement

The Compliance Office is here to help!

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